



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

JAN 4 2010

Ref: Ref: 8ENF- RC

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ellen J. Kullman, CEO
du Pont de Nemours and Company
14 T w Alexander Drive
Durham, NC 27711-0001

Re: Request For Information Pursuant to Section 104 of CERCLA
Richardson Flat Superfund Site. Located Near Park City, Utah

Dear Ms. Kullman:

The United States Environmental Protection Agency (EPA) is currently seeking information relating to du Pont's activities at the Richardson Flat Superfund site located in near Park City, Utah ("Site").

Pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9604, as amended, du Pont is hereby requested to respond to the Information Request (Request) set forth in Enclosure 1.

Compliance with the Information Request set forth in Enclosure 1 is mandatory. Failure to respond fully and truthfully to the Request within thirty (30) days of receipt of this letter, or adequately to justify such failure to respond, can result in an enforcement action by EPA pursuant to Section 104(e) of CERCLA, 42 U.S.C. Section 9604(e), as amended. This statute permits EPA to seek the imposition of penalties up to \$37,500 for each day of continued noncompliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject your client to criminal penalties under 18 U.S.C. Section 1001.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501, et seq.

Any response to this Request must be accompanied by a notarized certificate that is signed and dated by the person who is authorized by you to respond to this Request. The notarized certificate must state that the response submitted to EPA is complete and contains all documents and information responsive to this Request that are known to you following a complete and thorough review of all information and sources available to you. A suggested format for the notarized certificate is included with this Request as Enclosure 2.

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Your response to this Request should be mailed to:

Maureen O'Reilly, Enforcement Specialist
U.S. Environmental Protection Agency
Mail Code: 8ENF-RC
1595 Wynkoop Street
Denver, Colorado 80202

EPA regulations concerning confidentiality of business information are set forth in Part 2, Subpart B, of Title 40 of the Code of Federal Regulations. In addition, section 104(e)(7) of CERCLA, 42 U.S.C. Section 9607(e)(7), contains additional information concerning claims of business confidentiality in connection with this Request. Please see Instruction #5 of Enclosure 1 for further information on how to make a claim of confidentiality.

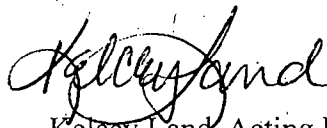
Due to the legal ramifications of your failure to respond properly, EPA strongly encourages du Pont to give this matter immediate attention and to respond to this Information Request within 30 days of your receipt of this Request. If you have any legal or technical questions relating to this Information Request, you may consult with EPA prior to the time specified above. Please direct legal questions to Mia Bearley, Enforcement Attorney, at (303) 312-6554. Maureen O'Reilly, Enforcement Specialist, is also available to discuss this Request at (303) 312-6402.

Thank you for your cooperation in this matter.

Sincerely,



Matt Cohn, Supervisory Attorney
Legal Enforcement Program



Kelcey Land, Acting Director
Technical Enforcement Program

Enclosures

cc: M. Bearley, 8ENF-L
M. O'Reilly, 8ENF-RC

Instructions

1. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Request.
2. Precede each answer with the number of the question to which it corresponds.
3. If information or documents not known or not available to you as of the date of submission of a response to this Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your Response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.
4. For each document produced in response to this Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
5. The information requested herein must be provided even though the Respondent may contend that it includes possibly confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, as amended by SARA, 42 U.S.C. Sections 9604(e)(7)(E) and (F), section 3007(b) of RCRA, 42 U.S.C. Section 6927(b), and 40 C.F.R. Part 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, 41 Fed. Reg. 36,902 (1976) [amended at 43 Fed. Reg. 40,000 (1978), and 50 Fed. Reg. 51,661 (1985)]. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above-cited regulations carefully before asserting a confidentiality claim, since certain categories of information are not properly the subject of such a claim.
6. All questions asked in the past tense should be interpreted to apply to the present as well.

Richardson Flat Superfund Site
Near Park City, Utah

INFORMATION REQUEST

Definitions

The following definitions shall apply to the following words as they appear in this Enclosure 1:

1. The term "**you**" or "**Respondent**" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.
2. The term "**person**" shall have the same definition as Section 101(21) of CERCLA, 42 U.S.C. Section 9601(21): an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, the United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.
3. The terms "**the Site**" or "**the Facility**" shall mean and include the property at the Richardson Flat Superfund Site located near Park City, Utah, most particularly Operable Unit 2.
4. The term "**identify**" means, **with respect to a natural person**, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "**identify**" means, **with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship)**, to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
6. The term "**identify**" means, **with respect to a document**, to provide its customary business description, its date, its number, if any (invoice or purchase order number), and the substance or the subject matter.
7. The terms "**document**" and "**documents**" shall mean any writing, recording, or stored information, and includes, but is not limited to, writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration, and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, cancelled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like,

diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording or any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and, (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

8. The terms "**and**" and "**or**" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this Request any information which might otherwise be construed to be outside its scope.

9. The term "**asset**" shall include the following: real estate, building or other improvements to real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

10. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. Section 9601, et seq.; RCRA, 42 U.S.C. Section 6901, et seq.; or their regulations found at 40 C.F.R. Part 300 or 40 C.F.R. Parts 260, et seq., respectively, in which case the statutory or regulatory definitions shall apply.

INFORMATION REQUEST

1. Identify the person or persons answering these Questions on behalf of E. I. du Pont de Nemours and Company ("du Pont").
2. For each and every Question contained herein, identify all persons consulted in the preparation of the answer.
3. For each and every Question contained herein, identify documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the Question and provide copies of all such documents.
4. Describe du Pont's current and/or past business relationship with Pacific Bridge Company.
5. Provide copies of all lease agreements between du Pont and Pacific Bridge Company relating to mining and/or milling operations in the state of Utah.
6. Describe du Pont's involvement with Pacific Bridge Company's mining and/or milling operations in the state of Utah.
7. Provide documentation relating to volumes of tailings processed and the amount of metals extracted by Pacific Bridge Company under its lease agreements with du Pont as those agreements pertain to operations in the state of Utah.
8. Describe disposal practices utilized by Pacific Bridge Company in its tailings processing operations under its lease agreements with u Pont.
9. Describe du Pont's current and/or past business relationship with Grasselli Chemical Company.
10. Describe du Pont's involvement with Grasselli Chemical Company's mining and/or milling operations in the state of Utah.
11. Describe Grasselli Chemical Company's involvement in the reprocessing of the Grasselli tailings located near Park City, Utah.
12. Provide documentation relating to volumes of tailings processed and the amount of metals extracted by Grasselli Chemical Company in the reprocessing of the Grasselli tailings located near Park City, Utah.

13. Describe du Pont's involvement in the reprocessing of the Big Four tailings located near Park City, Utah.
14. Provide copies of deeds and/or other indicia of real property ownership for land located near Park City Utah which was previously or is currently owned by du Pont or its corporate predecessors.
15. Provide the names of mining or milling operations that sent materials for processing to facilities owned, leased or operated by Grasselli Chemical Company in the state of Utah.
16. Provide all documents and/or other information possessed by or known to du Pont regarding tailings that came to be located at the Site.
17. Provide all documents and/or other information possessed by or known to du Pont regarding mining and/or milling processes conducted at the Site.
18. Provide all documents and/or other information possessed by or known to du Pont relating to this Site not provided in response to the questions above.

ENCLOSURE 2

NOTARIZED CERTIFICATE

I, _____, having been duly sworn and being of legal age, hereby state:

1. I am the person authorized by _____ to respond to the Environmental Protection Agency's (EPA's) request for information concerning the Standard Mine Superfund Site located in Gunnison County, Colorado.

2. I have made a complete and thorough review of all documents, information, and sources relevant to the request.

3. I hereby certify that the attached response to EPA's request is true, accurate, and complete and contains all information and documents responsive to the request.

Name

Title

Subscribed and sworn to me this _____ day of _____, 2010.

(Seal)

Notary Public:

My Commission Expires on:

My Address is: